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FISCAL IMPACT STATEMENT

LS 6567

BILL NUMBER: HB 1055

NOTE PREPARED: Apr 5, 2011

BILL AMENDED: Mar 31, 2011

SUBJECT: Adult guardianships and protective proceedings.

FIRST AUTHOR: Rep. Foley

FIRST SPONSOR: Sen. Zakas

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill does the following:

- (1) Enacts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.
- (2) Governs issues concerning original jurisdiction, registration, transfer, and out-of-state enforcement of guardianships and protective orders appointed or issued for adults.
- (3) Specifies the notice requirements following court action on a petition to appoint a temporary guardian.
- (4) Authorizes a parent of a minor or a guardian of a protected person to designate a standby guardian effective upon the death or incapacity of the parent or guardian.
- (5) Specifies the information required in a declaration designating a standby guardian.
- (6) Provides that the declaration is not binding upon the juvenile justice system with respect to the placement of a child who is subject to an allegation of abuse or neglect; an open child in need of services case; or an open delinquency case.
- (7) Provides that the declaration is effective for 90 days unless the standby guardian files a petition for guardianship, in which case the declaration is effective until the court rules on the petition.
- (8) Provides that a delegation of parental powers by power of attorney is effective immediately.
- (9) Makes conforming changes, including changing the duration of a temporary guardianship from 60 days to 90 days.

(The introduced version of this bill was prepared by the Probate Code Study Commission.)

Effective Date: July 1, 2011.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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